

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendants.

12 Misc. 115 (JSR)

In re: MADOFF SECURITIES

PERTAINS TO THE FOLLOWING CASES:

IRVING H. PICARD,

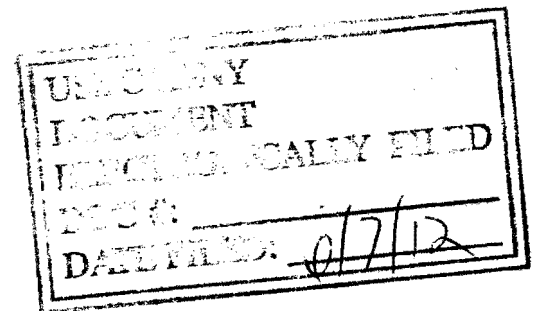
Plaintiff,

v.

NATIXIS, *et al.*,

Defendants.

11 Civ. 9501 (JSR)



**CONSENT ORDER DEFERRING BRIEFING ON REMAINING ISSUES  
IN PENDING MOTION TO WITHDRAW THE REFERENCE**

JED S. RAKOFF, U.S.D.J.

On consent of (i) Natixis S.A. (in its own capacity and as successor-in-interest to IXIS Corporate & Investment Bank), Natixis Financial Products LLC (as successor-in-interest to Natixis Financial Products Inc.), Bloom Asset Holdings Fund and Tensyr Limited (collectively,

“Defendants”),<sup>1</sup> (ii) Irving H. Picard, as Trustee (the “Trustee”) for the substantively consolidated liquidation proceedings of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, and (iii) the Securities Investor Protection Corporation (“SIPC”, together with the Defendants and the Trustee, the “Parties”), briefing with respect to (a) whether a defendant’s right to a jury trial or (b) judicial economy provide a basis to withdraw the reference for cause pursuant to 28 U.S.C. § 157(d), the only remaining legal issues raised by the pending Motion to Withdraw the Reference filed in the above-captioned action (the “Remaining Issues”) which are not subsumed by the common briefing orders including but not limited to the (i) *Order, In re: Madoff Securities*, No. 12-MC-115 (JSR) (S.D.N.Y. April 13, 2012) (ECF No. 4) (the “Stern Order”), (ii) *Order, In re: Madoff Securities*, No. 12-MC-00115 (JSR) (S.D.N.Y. April 19, 2012) (ECF No. 22) (the “Consolidated Briefing Order”), and (iii) *Order, In re Madoff Securities*, No. 12-MC-115 (JSR) (S.D.N.Y. May 15, 2012) (ECF No. 97) (the “Extraterritoriality Withdrawal Order”); and (iv) *Order, In re Madoff Securities*, No. 12-MC-115 (JSR) (S.D.N.Y. May 31, 2012) (ECF No. 154) (together with the Stern Order, the Consolidated Briefing Order and the Extraterritoriality Order, the “Common Briefing Orders”) shall be deferred until after all of the issues articulated in the Common Briefing Orders have been fully adjudicated by a final order of this Court. The Parties shall advise this Court whether any further briefing with respect to the Remaining Issues are necessary to resolve the pending Motions to

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<sup>1</sup> On December 20, 2011, the Defendants Natixis S.A. (in its own capacity and as successor-in-interest to IXIS Corporate & Investment Bank), Natixis Financial Products LLC (as successor-in-interest to Natixis Financial Products Inc.), Bloom Asset Holdings Fund moved to withdraw the reference (the “Natixis Motion”). Defendant Tensyr Limited filed a joinder to the Natixis Motion on January 10, 2012.

Withdraw the Reference in this action as soon as practicable after all of such issues stated in the  
Common Briefing Orders have been fully adjudicated by a final order of this Court.

SO ORDERED.

  
JEDS. RAKOFF, U.S.D.J.

Date: New York, New York  
June 6, 2012